

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled System and Method for Interactive, Computer-Assisted On-Line Auctions the specification of which is attached hereto and claims the benefit of the July 30, 1999 filing date of Provisional U.S. Patent Application Serial No. 60/146,702.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclosure information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certification having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code, Section 1.20 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 1.12, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

None

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code

And I hereby appoint: Jean-Marc Zimmerman (Reg. No. 36,978), whose address is 226 St. Paul Street, Westfield, New Jersey 07090 and whose telephone number is (908) 654-8000, my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Direct correspondence and telephone calls to:

Full name of inventor:

Inventor's Signature:

Date:

Residence:

Citizenship:

Post Office Address:

Jean-Marc Zimmerman  
Dr. Catherine Lin-Hendel, Ph. D.

*Catherine Lin-Hendel*

Catherine Lin-Hendel

18850 Blythwood Drive  
Los Gatos, California 95030  
U.S.  
same as above

Attorney's Docket No.

Applicant or Patentee:

Dr. Catherine Lin-Hendel, Ph. D.

Serial or Patent No.:

Fixed or Issued:

For:

System and Method for Interactive,  
Computer-Assisted On-Line Auctions

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27(c))- SMALL BUSINESS CONCERN

I hereby declare that I am

The owner of the small business concern identified below:

an official of the small business concern empowered to act  
on behalf of the concern identified below:

NAME OF CONCERN:

Dr. Catherine Lin-Hendel, Ph. D.

ADDRESS OF CONCERN:

18850 Blythswood Drive  
Los Gatos, California 95030

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18 and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both. I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled System and Method for Interactive, Computer-Assisted On-Line Auctions by inventor(s) Dr. Catherine Lin-Hendel, Ph. D. described in the:

the specification filed herewith

Application Serial No. filed on

Patent No. issued on

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) if that

person made this invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9(e).

Name:

Address:

Individual

Small Business Concern

Nonprofit Organization

I acknowledge the duty to file in his application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fees due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing:

Title of Person Other Than Owner:

Address of Person Signing:

Dr. Catherine Lin-Hendel, Ph. D.

18850 Blythwood Drive  
Los Gatos, California 95030

Signature:

*Catherine Lin-Hendel*

Date:

*CGH*  
*7/27/2000*